

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal No. 15-00271-01-CR-W-RK
)	
HAROLD S. STANLEY,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE:

On August 25, 2015, the Grand Jury returned a two count indictment against Harold Stanley. Count 1 charges that from on or about 2005, up to and including October 29, 2012, in violation of Title 26, United States Code, Section 7201, the defendant willfully attempted to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar years 2005 through 2009 by:

- (a) submitting fake money orders for payment to the Internal Revenue Service;
- (b) returning documents to the Internal Revenue Service claiming that the tax assessments are satisfied because they were "Accepted for Value"; and
- (c) filling out payment vouchers with his name in all capital letters but not submitting payment.

Count 2 alleges that beginning on or about 2005, and continuing up to and including 2013, in violation of Title 26, United States Code, Section 7212(a), defedant did corruptly endeavor to obstruct and impede the due administration of the internal revenue laws by:

- (a) submitting fake money orders for payment to the Internal Revenue Service;
- (b) returning documents to the Internal Revenue Service claiming that the tax assessments are satisfied because they were "Accepted for Value";
- (c) filling out payment vouchers with his name in all capital letters but not submitting payment; and
- (d) submitting a false criminal referral to the Internal Revenue Service - Criminal Investigation Division in Fresno, California.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Paul Becker
Case Agent: Special Agent Richard Littrell of IRS Criminal Investigations and
paralegal Giovan Aloisio

Defense: Harold S. Stanley, pro se. Defendant requests permission to have the assistance of a “next friend,” Carl Weston who is also one of his witnesses.

OUTSTANDING MOTIONS:

11/03/2015	27	MOTION in limine (titled " <i>Motion to suppress evidence for tax years outside the indictment, to suppress irrelevant evidence, and to suppress duplicate evidence</i> ") by Harold R Stanley. Suggestions in opposition/response due by 11/20/2015 unless otherwise directed by the court. (Stanley, Harold) Modified on 4/29/2016 to edit docket text (Moore, Terri). (Entered: 11/03/2015)
04/01/2016	52	MOTION in limine by USA as to Harold R Stanley. Suggestions in opposition/response due by 4/18/2016 unless otherwise directed by the court. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 10 contd, # 12 Exhibit 11)(Becker, Paul) (Entered: 04/01/2016)
04/04/2016	53	NOTICE of filing Government's Intention to Use Certified Records of Regularly Conducted Activity by USA as to Harold R Stanley (Becker, Paul) (Entered: 04/04/2016)
05/09/2016	86	Second MOTION in limine to Exclude Certain Exhibits and Limit Certain Testimony by USA as to Harold R Stanley. Suggestions in opposition/response due by 5/26/2016 unless otherwise directed by the court. (Attachments: # 1 Exhibit A)(Becker, Paul) (Entered: 05/09/2016)
05/09/2016	88	MOTION in limine Defendant's Motion in Limine to Exclude Certain Exhibits and Limit Use of Other Exhibits by Harold R Stanley. Suggestions in opposition/response due by 5/26/2016 unless otherwise directed by the court. (Stanley, Harold) (Entered: 05/09/2016)

TRIAL WITNESSES:

Government: 11 with stipulations; without stipulations an additional 16 records' custodians.

Defendants: 2 witnesses to be called in person, in addition to 8 witnesses whose testimony in the public domain will be offered.

TRIAL EXHIBITS

Government: 170-200 exhibits

Defendant: 23 exhibits for defendant

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 3 days

Government's case including jury selection: 2 ½ days¹

Defense case: 4 hours or more depending on the Court's rulings

STIPULATIONS:

The parties have reached agreement as to the foundation requirements of certain business records. Defendant reserves the right to object to the exhibits on other grounds.

However, defendant believes that most of his objections to exhibits are contained in the pending motions in limine.

UNUSUAL QUESTIONS OF LAW:

All questions of law have been discussed in the motions in limine.

FILING DEADLINES:

Witness and Exhibit Lists have been filed.

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, May 25, 2016.

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for May 31, 2016.

Please note: Government counsel requests the first week of the docket.

IT IS SO ORDERED.

/s/Sarah W. Hays

SARAH W. HAYS

UNITED STATES MAGISTRATE JUDGE

¹ Government counsel will ask that two witnesses be allowed to testimony for longer than the standard time permitted under the Rules of Trial. Defendant indicated he will make a similar request for his witnesses.